

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DONALD STANLEY LAVIGNE,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 3:23-285 & 3:24-2
MICHAEL UNDERWOOD, Warden,)	Judge Nora Barry Fischer
)	Magistrate Judge Keith Pesto
Respondent.)	

ORDER OF COURT

AND NOW, this 23rd day of December, 2024, in accordance with the foregoing Memorandum Opinion,

IT IS HEREBY ORDERED that the Reports and Recommendation (Civ. A. No. 3:23-285, Docket No. 5; Civ. A. No. 3:34-2, Docket No. 7) are adopted, in part, and the habeas petitions filed by Petitioner Donald Stanley Lavigne (Civ. A. No. 3:23-285, Docket No. 4; Civ. A. No. 3:24-4, Docket No. 6) are DISMISSED, without prejudice;

IT IS FURTHER ORDERED that Petitioner's objections are OVERRULED;

IT IS FURTHER ORDERED that the Clerk of Court shall mark these cases CLOSED; and,

FINALLY, IT IS ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

s/ Nora Barry Fischer
Nora Barry Fischer
Senior U.S. District Judge

cc/ecf: United States Magistrate Judge Keith A. Pesto

cc: Donald Stanley Lavigne
BOP # 77000-509
Detroit RRM
4026 E. ARKONA RD.
MILAN, MI 48160 (via first class mail)